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C O N F I D E N T I A L OSLO 000592

SIPDIS

FOR IO/RHS (CARI ENAV AND KELLY RAZZOUK), NEA/IPA (JEFFREY GIAUQUE)

E.O. 12958: DECL: 09/25/2019

TAGS: PREL PHUM PTER KISL KPAL IS NO

SUBJECT: NORWAY RESPONDS CONSTRUCTIVELY TO GOLDSSTONE
DEMARCHE

REF: STATE 98567

Classified By: Charge d'affaires James T. Heg, for reasons 1.4(b) and (d)

¶1. (C) Summary: The Norwegian MFA responded positively September 24 to our demarche on engaging the Human Rights Council (HRC) in a constructive manner on the Goldstone report. The officials we met said Norway would want to "welcome" the Goldstone report in any HRC resolution on the matter, but could likely support merely "noting" the report's recommendations and would also consider other formulations. They committed to working with us and relevant delegations in the HRC to craft a fair and constructive resolution text and shared with us the draft resolution text put forward by the Palestinian delegation in Geneva (who apparently beat the OIC to the punch). In addition, they effusively praised both President Obama's and Susan Rice's recent speeches to the UN.
End summary.

¶2. (U) Pol/Econ Counselor Cherrie Daniels and other POL/ECON staff met jointly with Tina Mørch Smith, Ministry of Foreign Affairs (MFA) Deputy Director General and head of the Human Rights and Democracy Section, as well as Anne Merchant, Senior Advisor in the same section, and Stian Christensen of the MFA Middle East Section to deliver reftel demarche on September 24.

¶3. (C) All three said they were extremely pleased that the United States was trying to engage the HRC in a constructive manner in general and on this issue, and stated that Norway and the United States were "likeminded on the major issues." Merchant noted favorably that the USG was working closely in Geneva with the Palestinian Authority (PA) on the draft resolution she said the Palestinians just put forward. Merchant said that the PA has tried to be "balanced," and will likely receive pushback from OIC countries as a result. Merchant said that there are certain elements of the current resolution draft text which Norway would have liked to change, but the crucial question is how the HRC will choose to follow up the Goldstone report. The answer on follow-up measures, the Norwegians said, is complicated by the fact that international humanitarian law questions are beyond the purview of the HRC.

THE REPORT VS. THE RECOMMENDATIONS: TREAT EACH DIFFERENTLY

¶4. (C) Merchant said that Norway had long advocated an independent fact-finding investigation into the Gaza war, and therefore Norway will almost "have to welcome" the overall report - at least the fact that the investigation took place and that a report was done. At the same time, Norway could

support merely "noting" the recommendations. She pointed out that the current PA draft text "fully endorses" both the report and recommendations. Poleconcouns responded that while we are still evaluating the report, our concerns are not limited to the recommendations alone (as we had noted at the opening of the meeting when delivering reftel points). The Norwegians were curious to learn which of the conclusions in the report itself were problematic to us, if we could share that information here or in Geneva.

¶15. (C) From Norway's side, Merchant said the issue of impunity is very important, and must somehow be addressed in the preamble of a resolution on the Goldstone report. She said Norway wanted something along the lines of "States have an obligation to investigate violations of human rights and international humanitarian law." Poleconcouns stressed again that one of the USG's goals was that any resolution be constructive and not one-sided, and emphasized that our points included language about "credible domestic processes" - plural - by the Israelis and Palestinians. Therefore, restricting concerns about impunity to just the Israeli side, because it was a state, would likely prove problematic for us. Merchant noted the point and said that element, like the issue of "welcoming vs. noting" the report and recommendations, were matters the U.S. and Norwegian delegations could work together to address.

A NEW ENVIRONMENT AT THE UN,
KUDOS TO PRESIDENT OBAMA AND SUSAN RICE

¶16. (C) Beyond the content of reftel demarche, the Norwegians said that the Norwegian press was much more positive toward

the UNGA this year than last, largely because of President Obama's re-engagement with the United Nations and a resultant sense of new possibility. Anne Merchant said that the Norwegian MFA was euphoric at UN Ambassador Susan Rice's recent speech, in which Merchant said Rice called the UN an "imperfect but indispensable" organization, and within it, "silence equals surrender." Merchant said Amb. Rice's remarks mirrored Norway's own position.

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